



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-26-20

ORDINANCE OF THE BOROUGH OF HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AMENDING THE AMENDED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on June 2, 2021, by Resolution No. 21-126, and in accordance with the provisions of the Redevelopment Law, the Municipal Council (the "**Borough Council**") of the Borough of Highlands (the "**Borough**") authorized and directed the Land Use Board of the Borough (the "**Land Use Board**") to conduct a preliminary investigation to determine whether all or a portion of certain properties within the Borough, commonly referred to as the Central Business District/Bay Avenue Corridor and identified by block and lot on the tax map of the Borough listed therein (the "**Study Area**"), meet the criteria in the Redevelopment Law for designation as a non-condemnation redevelopment area, within which the Borough may use all of the powers provided by the Redevelopment Law for use in a redevelopment area except the power of eminent domain, and to make a recommendation as to whether all or a portion of such Study Area should be designated as a non-condemnation redevelopment area; and

WHEREAS, the Land Use Board subsequently directed Phillips Preiss Grygiel Leheny Hughes LLC (the "**PPG**"), the planning consultant, to conduct a preliminary investigation to determine whether all or a portion of the Study Area should be designated as a non-condemnation redevelopment area; and

WHEREAS, on July 8, 2021, the Land Use Board received a report setting forth the basis for the investigation and a map depicting the Study Area prepared by the PPG, entitled *Area in Need of Redevelopment Study, Central Business District, Borough of Highlands, New Jersey*, dated July 8, 2021 (the "**Report**"), evaluating whether all or a portion of the Study Area met the criteria to be designated as a non-condemnation redevelopment area; and

WHEREAS, pursuant to the Redevelopment Law, the Land Use Board caused a duly noticed public hearing to be held on August 5, 2021 (the "**Study Area Hearing**"), at which it reviewed the Report, heard testimony from Paul Grygiel, AICP, PP of PPG, and conducted a public hearing during which members of the general public were given an opportunity to present their own evidence, cross-examine PPG, and address questions to the Land Use Board and its representatives concerning the potential designation of the Study Area as a non-condemnation redevelopment area; and

WHEREAS, at the conclusion of the Study Area Hearing, after reviewing the Report and hearing all of the evidence, testimony from the public, and expert testimony, based on the reasons set forth in the Report and on the record, including the testimony of PPG as to criterion "h" of *N.J.S.A. 40A:12A-5* ("**Section 5**") of the Redevelopment Law, the Land Use Board made recommendations to the Borough Council that the entire Study Area be designated as a non-condemnation redevelopment area pursuant to Section 5 of the Redevelopment Law, which recommendations and reasons for same were memorialized in Resolution No. 2021-21 duly adopted by the Land Use Board on October 7, 2021; and

WHEREAS, on October 20, 2021, by Resolution No. 21-199, the Borough Council accepted the Land Use Board's recommendations and designated the entire Study Area as a non-condemnation redevelopment area pursuant to the Redevelopment Law (the "**Redevelopment Area**") and authorized PPG to prepare one or more redevelopment plans for the Redevelopment Area; and

WHEREAS, on May 18, 2022 the Borough Council adopted Ordinance No. 22-10 adopting a redevelopment plan for the Redevelopment Area, entitled Central Business District Redevelopment Plan (the “**Original Redevelopment Plan**”); and

WHEREAS, following a review of the Original Redevelopment Plan, the Borough determined to amend the Original Redevelopment Plan to facilitate redevelopment within the Redevelopment Area; and

WHEREAS, Heyer, Gruel and Associates (the “**Planning Consultant**”), prepared an amended redevelopment plan for the Redevelopment Area, entitled Amended Central Business District Redevelopment Plan, dated August 21, 2024 (the “**Amended Redevelopment Plan**”); and

WHEREAS, September 18, 2024, by Ordinance No. O-24-15, the Borough Council adopted the Amended Redevelopment Plan; and

WHEREAS, the Borough has determined to amend the Amended Redevelopment Plan to facilitate redevelopment within the Redevelopment Area; and

WHEREAS, by way of introduction of this Ordinance, the Borough Council hereby refers the Redevelopment Plan Amendment (defined herein) to the Land Use Board for its review in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, prior to public hearing and final adoption of this Ordinance, the Land Use Board will have transmitted to the Borough Council a report containing the Land Use Board’s recommendation concerning the Redevelopment Plan Amendment, including an identification of any provisions in the Redevelopment Plan Amendment that are inconsistent with the Borough Master Plan, if any, and recommendations concerning those inconsistencies, if any, and any other matters the Land Use Board deems appropriate; and

WHEREAS, subject to receipt of such Land Use Board report, the Borough Council believes that the adoption of the Redevelopment Plan Amendment is in the best interests of the Borough and the redevelopment of the Redevelopment Area; and

WHEREAS, the Planning Consultant shall revise the Amended Redevelopment Plan to incorporate the Redevelopment Plan Amendment.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though set forth at length.

Section 2. Pursuant to N.J.S.A. 40A:12A-7(e), upon passage of this Ordinance on first reading, the Borough Council hereby refers the Redevelopment Plan Amendment to the Land Use Board for the Land Use Board’s review. The Land Use Board shall prepare a report containing the Land Use Board’s recommendation concerning the Redevelopment Plan Amendment, including an identification of any provisions in the Redevelopment Plan Amendment that are inconsistent with the Borough Master Plan, if any, and recommendations concerning those inconsistencies, if any, and any other matters the Land Use Board deems appropriate, and submit same to the Borough Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Redevelopment Plan Amendment is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7. The Amended Redevelopment Plan is hereby amended as follows: additions shall be shown in underline and deletions in ~~striketrough~~. Only the sections shown shall be amended, all other sections shall remain unchanged (the “**Redevelopment Plan Amendment**”).

- A. Section III(G) is amended to include the following definitions:
- G. *Definitions and Terminology*
- “First Floor” shall mean the floor located directly above the ground floor
 - “Ground Floor” shall mean the floor located at grade level
- B. Section VI (C) is amended as follows:
- Multi-family residential located in a mixed-use building where there is commercial/retail space on the first floor which may also include residential units on the first floor serves as a non-residential use
- C. Section VIII. *Parking and Circulation A. Vehicular Parking* is amended as follows:
- ~~Maximum~~ Minimum Parking Ratios for Residential
- Single-family detached, two-family duplex, and townhouses: follow NJ Residential Site Improvement Standards (RSIS) for single family, ~~namely 1.5 spaces for two-bedroom, 2.0 spaces for three-bedroom, and 2.5 spaces for four-bedroom, and 3.0 spaces for five or more bedrooms.~~
 - Multi-family buildings with three (3) or more units: ~~follow RSIS for Midrise Apartments, namely 1.08 spaces for one-bedroom units, and 2.0 spaces for each for two-and three-bedroom units, and 2.1 for three-bedroom units.~~
 - Any variance granted for parking shall be subject to the parking deficiency variance requirements and parking deficiency fee set forth in Borough Code Section 21-65.14(E).

Section 4. The zoning district map and the zoning ordinances of the Borough are hereby amended to incorporate and reflect the Redevelopment Plan Amendment, and, to the extent provided in the Amended Redevelopment Plan, are superseded thereby.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance and the Amended Redevelopment Plan as revised by the Planning Consultant to incorporate the Redevelopment Plan Amendment shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable law.

First Reading and Set Hearing Date for O-26-20:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: July 15, 2026

Nancy Tran, Municipal Clerk
Borough of Highlands

Public Hearing for O-26-20:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: August 19, 2026

Carolyn Broullon, Mayor

Nancy Tran, Municipal Clerk
Borough of Highlands